**U.S. Department of Justice**United States Attorney  
Southern District of New York

USDS SDNY

DOCUMENT

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The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

August 20, 2007

**MEMO ENDORSED**

BY FACSIMILE: (212) 805-6326  
 The Honorable Colleen McMahon  
 United States District Judge  
 Southern District of New York  
 500 Pearl Street  
 New York, New York 10007

Re: United States v. Henry Perdomo,  
 07 Cr. 767 (CM)

Dear Judge McMahon:

The Government respectfully submits this letter to update Your Honor about the status of this case and to request a court conference to arraign the defendant and set a schedule in this case.

The defendant was arrested on July 18, 2007, and a complaint (enclosed) was filed on July 19, 2007. Also on July 19, 2007, the defendant was presented before the Honorable Ronald L. Ellis, who set the following bail conditions for the defendant's release: a \$150,000 personal recognizance bond, secured by \$5,000 in cash and co-signed by three financially responsible persons; strict Pre-trial Services supervision with drug testing and treatment; home detention with electronic monitoring; travel restricted to the Southern and Eastern Districts of New York; and the surrender of all travel documents. The defendant met the bail conditions and was released on or about July 23, 2007.

The Grand Jury returned the above-referenced indictment on August 16, 2007, and the case was wheeled out to Your Honor. A copy of the Indictment is enclosed for Your Honor's files. The defendant has not yet been arraigned on the Indictment. Given the unavailability of defense counsel, Barry Weinstein, until after Labor Day, the Government and the defendant respectfully request that the Court schedule an initial conference for the arraignment of the defendant for the first week of September.

S-21-07  
 Case ready for arraignment  
 on 9/11/07 at 9:30 AM  
 Extended through 9/11/07  
 Excluded from 9/11/07 to 9/14/07  
 DRK: Excluded from 9/11/07 to 9/14/07  
 exclusion of time  
*R. M. H.*

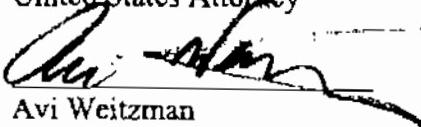
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In addition, the Government respectfully requests that time be excluded for purposes of the Speedy Trial Act from today through and including the date of the next scheduled conference. The Government makes this request in order to permit the Government to collect and produce discovery and to provide the defendant an opportunity both to review discovery and to consider a possible disposition of the case. Therefore, the ends of justice served by excluding time under the Speedy Trial Act outweigh the best interest of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(b)(8). Defense counsel, Barry Weinstein, Esq., has consented to the exclusion of time.

Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney

By:

  
Avi Weitzman  
Assistant U.S. Attorney  
(212) 637-1205

Enc.

cc: Barry A. Weinstein, Esq. (by facsimile 718-665-9147)  
Attorney for Defendant